

# West Virginia Child Labor Laws

## Child Labor Hazardous Occupation Order #5

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West Virginia Division of Labor  
Wage & Hour Section

**Child Labor Fact Sheet 4.5 - Chapter 21, Article 6, Section 2(a)(5) & §42CSR-9 4.17**

Reference: Federal Regulation Title 29, Part 570, Subpart E - §570.55

(July 2016)

### HAZARDOUS OCCUPATION ORDER #5

#### ***OCCUPATIONS INVOLVED IN THE OPERATION OF POWER-DRIVEN WOODWORKING MACHINES***

(a) *Finding and declaration of fact.* The following occupations involved in the operation of power-driven wood-working machines are particularly hazardous for minors between 16 and 18 years of age:

(1) The occupation of operating power-driven woodworking machines, including supervising or controlling the operation of such machines, feeding material into such machines, and helping the operator to feed material into such machines but not including the placing of material on a moving chain or in a hopper or slide for automatic feeding.

(2) The occupations of setting up, adjusting, repairing, oiling, or cleaning power-driven woodworking machines.

(3) The occupations of off-bearing from circular saws and from guillotine-action veneer clippers.

(b) *Definitions.* As used in this section:

*Off-bearing* shall mean the removal of material or refuse directly from a saw table or from the point of operation. Operations not considered as off-bearing within the intent of this section include:

(i) The removal of material or refuse from a circular saw or guillotine-action veneer clipper where the material or refuse has been conveyed away from the saw table or point of operation by a gravity chute or by some mechanical means such as a moving belt or expulsion roller; and

(ii) The following operations when they do not involve the removal of materials or refuse directly from a saw table or point of operation: The carrying, moving, or transporting of materials from one machine to another or from one part of a plant to another; the piling, stacking, or arranging of materials for feeding into a machine by another person; and the sorting, tying, bundling, or loading of materials.

*Power-driven woodworking machines* shall mean all fixed or portable machines or tools driven by power and used or designed for cutting, shaping, forming, surfacing, nailing, stapling, wire stitching, fastening or otherwise assembling, pressing or printing wood, veneer, trees, logs, or lumber.

(c) *Exemptions.* This section shall not apply to the employment of apprentices or student-learners under the conditions prescribed in §570.55 (b) and (c).